

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:06CV531

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

JOHN F. MANGAN, JR.,

Defendant,

and

HUGH L. MCCOLL, III,

Relief Defendant.

ORDER

This matter is before the court upon the Defendant John F. Mangan's Motion to Dismiss pursuant to Rule 12(b)(6). Oral argument was held in this matter on October 24, 2007. For the reasons stated in open court during the hearing,

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss is hereby GRANTED as to Plaintiff's Section 5 claim (Third Claim for Relief) and DENIED as to Plaintiff's insider trading claims (First and Second Claims for Relief).

Signed: October 24, 2007



Graham C. Mullen  
United States District Judge

